

REMARKS

This Application has been carefully reviewed in light of the final Office Action mailed November 17, 2005. Claims 1-5, 8-12 and 15-37 are pending in the application and are rejected in the Office Action. For the reasons discussed below, Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1-3, 5, 8, 9, 19-21, 23-29, and 31-35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,680,933 issued to Cheesman et al. (“Cheesman”), in view of Rekhter et al., “Tag Switching Architecture Overview” (“Rekhter”). For the following reasons, Applicants respectfully traverse the rejections of Claims 1-3, 5-12, and 15-37.

Claim 1, as currently amended, recites the following limitations:

A method of communicating connectionless and connection oriented signals using at least one common network element, comprising:

receiving connectionless and connection oriented signals from a plurality of source peripheral network elements at an ingress core network element;

determining a signaling type associated with each received signal, the signaling type comprising connectionless signaling or connection oriented signaling;

appending a transport label to each received signal at the ingress core network element based upon the determination of the signaling type, each transport label comprising:

an indication of the signal's signaling type;

a plurality of sub-transport labels, each sub-transport label identifying a single hop of a plurality of hops between the ingress core network element and an egress core network element for a connectionless signal or identifying a single path segment of a plurality of path segments between the ingress core network element and the egress core network element for a connection oriented signal; and

communicating the signals and appended transport labels toward destination peripheral network elements according to signaling procedures associated with each signal's signaling type.

Claims 19 and 27 recite similar, although not identical, limitations.

Neither *Cheesman* nor *Rekhter*, alone or in combination, disclose, teach, or suggest “a plurality of sub-transport labels, each sub-transport label identifying a single hop of a plurality of hops between the ingress core network element and an egress core network element for a connectionless signal or identifying a single path segment of a plurality of path segments between the ingress core network element and the egress core network element for a connection oriented signal.” Applicants have amended Claim 1 (as well as Claims 19 and 27) to address the Examiner’s interpretation of the “associated with” language in the previous version of the claims. Applicants hope that the current claim language clearly indicates that there are a plurality of hops or path segments between the ingress and egress core network elements and that each of the sub-transport labels identifies a single one of these hops or path segments.

In the Office Action, the Examiner asserts that this limitation (at least before it was amended) is taught as page 8, paragraphs 1 and 2 of *Rekhter*. However, as recognized by the Examiner, *Rekhter* only discloses two tags – a tag that provides forwarding to an egress border switch (from an ingress border switch) and a tag that provides forwarding from the egress border switch. There is no disclosure of multiple hops or path segments between the ingress and egress border switches or a plurality of sub-transport labels identifying such hops or path segments. For at least these reasons, Applicants respectfully submit that Claim 1 is patentably distinguishable from the cited references and request that the rejection of Claim 1 be withdrawn.

Claims 19 and 27 include similar limitations to those discussed above regarding Claim 1. Therefore, Applicants respectfully submit that Claims 19 and 27 are patentably distinguishable from the cited references, for example, for at least the same reasons as Claim 1, and request that the rejections of Claims 19 and 27 be withdrawn.

Claims 2, 3, 5, 8-10, and 36 depend from Claim 1. Claims 20-26 and 37 depend from Claim 19. Claims 28-35 depend from Claim 27. Therefore, Applicants respectfully submit that Claims 2, 3, 5, 8-10, 20-26, and 28-37 are patentably distinguishable from the cited

references for at least the same reasons as those discussed above regarding Claims 1, 19, and 27.

The Examiner also rejects Claim 4 under 35 U.S.C. § 103(a) as being unpatentable over *Cheesman* in view of *Rekhter* and further view of U.S. Patent No. 6,628,649 issued to Raj et al. ("Raj"). Claim 4 depends from, and incorporates all the limitations of, independent Claim 1. As discussed above regarding Claim 1, the combination of *Cheesman* and *Rekhter* fails to disclose, teach, or suggest "a plurality of sub-transport labels, each sub-transport label identifying a single hop of a plurality of hops between the ingress core network element and an egress core network element for a connectionless signal or identifying a single path segment of a plurality of path segments between the ingress core network element and the egress core network element for a connection oriented signal." The cited portions of *Raj* also fail to disclose, teach, or suggest these limitations. Therefore, Applicants respectfully request reconsideration and allowance of Claim 4.

The Examiner also rejects Claims 10, 22, 30, 36, and 37 under 35 U.S.C. § 103(a) as being unpatentable over *Cheesman* in view of *Rekhter* and further in view of U.S. Patent No. 6,526,056 issued to Rekhter et al. ("*Rekhter & Rosen*"). Claims 10, 22, 30, 36, and 37 each depend from, and incorporate all the limitations of, one of independent Claims 1, 19, or 27. As discussed above regarding Claim 1, the combination of *Cheesman* and *Rekhter* fails to disclose, teach, or suggest "a plurality of sub-transport labels, each sub-transport label identifying a single hop of a plurality of hops between the ingress core network element and an egress core network element for a connectionless signal or identifying a single path segment of a plurality of path segments between the ingress core network element and the egress core network element for a connection oriented signal." The cited portions of *Rekhter & Rosen* also fail to disclose, teach, or suggest these limitations. Therefore, Applicants respectfully request reconsideration and allowance of Claims 10, 22, 30, 36, and 37.

The Examiner also rejects Claims 11, 12, and 15-18 under 35 U.S.C. § 103(a) as being unpatentable over *Cheesman* in view of *Rekhter & Rosen*. For the following reasons, Applicants respectfully traverse the rejections of Claims 11, 12, and 15-18.

Claim 11 recites a method of communicating connectionless and connection oriented signals including receiving signals including a transport label having a stack of sub-transport labels. Each sub-transport label provides an instruction regarding the associated signal's communication toward one of the destination peripheral network elements. The top sub-transport label identifies a node identification useful in determining a next hop for a connectionless signal or a path identification useful in determining a virtual circuit for a connection oriented signal, and the bottom sub-transport label includes an interface identifier operable to specify an interface of an egress core network element between the ingress core network element processing the signal and the destination peripheral network element.

Neither *Cheesman* nor *Rekhter & Rosen*, alone or in combination, disclose, teach, or suggest a transport label having a stack of sub-transport labels where the top sub-transport label identifies a node identification useful in determining a next hop for a connectionless signal or a path identification useful in determining a virtual circuit for a connection oriented signal, and the bottom sub-transport label includes an interface identifier operable to specify an interface of an egress core network element between the ingress core network element processing the signal and the destination peripheral network element.

On page 21 of the Office Action, the Examiner provides an interpretation of the term “interface identifier” as being “information for specifying a path through the network from the core network element to the destination network element.” However, as Applicants previously stated, the passages on which the Examiner bases this interpretation are describing the entire interface identifier *table 120*, not just one interface identifier. As recited in the claim, an interface identifier specifies an *interface of an egress core network element* between the ingress core network element and the destination peripheral network element, not a “path through the network.”

More specifically, the cited passage at page 11, lines 16-21 states that “*Interface ID look-up table 120 may include, for example, information specifying addresses of interfaces facilitating communication between a core network element 14 and various peripheral network elements 18-24.*” The cited passage at page 18, lines 15-29 states that “*core network element 14 [reads] the associated label value 224 as an interface identifier specifying a particular interface within an egress core network element 14 to a particular peripheral network element 18-24.*” Similarly, the passage at page 21, lines 4-14 states that “*egress core network element 14 . . . uses the interface ID in label value field 224n to index its interface ID look-up table 122 and identify an interface between the egress core network element 14 and the destination peripheral network element 18-24.*” In addition, the passage at page 31, lines 3-16 similarly states that “*egress network element 14 may use the interface ID as an index to interface ID look-up table 120 to identify the correct interface between that core network element 14 and the destination peripheral network element 18-24.*” From each of these passages, it is abundantly clear that the interface identifier specifies an *interface of an egress core network element* between the ingress core network element and the destination peripheral network element, not a path through the network. Furthermore, and more importantly, this is precisely what is recited in Claim 11. Therefore, Applicants respectfully submit that the Examiner’s interpretation of the claim element is not only inconsistent with the specification, but also contrary to the explicit wording of the claim itself.

Since either *Cheesman* nor *Rekhter & Rosen* disclose such an interface identifier as claimed, Applicants respectfully submit that Claim 11 is patentably distinguishable from the cited references and request that the rejection of Claim 11 be withdrawn. In addition, Claims 12 and 15-18 depend from Claim 11. Therefore, Applicants respectfully submit that Claims 12 and 15-18 are patentably distinguishable from the cited references for at least the same reasons as those discussed above regarding Claims 11.

CONCLUSION

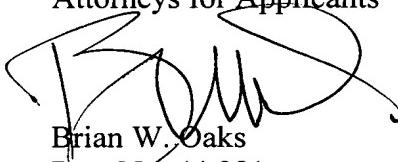
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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